IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 7TH DECEMBER 2006 / 16TH AGRAHAYANA 1928

Bail Appl..No. 7243 of 2006()

CRIME NO. 285/06 OF VALANCHERY POLICE STATION

PETITIONER/ACCUSED 3 (UNDER CUSTODY)

IBRAHIM, S/O. SAINUDHEEN,
MEKKATTUKALATHIL HOUSE, ATHAVANAD AMSOM DESOM,
MALAPPURAM DISTRICT.

BY ADV. SRI.T.SETHUMADHAVAN

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
(CRIME NO.285/2006 OF THE VALANCHERRY POLICE STATION.)

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 7243 of 2006

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DATED: 7-12-2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is accused No.2 in Crime No. 285/06 of Valancherry Police Station for an offence punishable under Sec. 395 I.P.C., seeks his enlargement on bail. The occurrence took place on 19-8-2006. The petitioner was arrested on 4-10-2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Admittedly, no charge sheet has been laid even after 60 days of detention of the petitioner. If so, by virtue of the proviso to Sec. 167 Cr.P.C. the petitioner is entitled to bail as of right.

4. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 15,000/- (Rupees fifteen thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M - Tirur and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m.on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

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